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CHAPTER X

JUDICIAL AND CLERICAL OFFICERS; LAWS GOVERNING INHERITANCE

THERE are in the Rif two classes of officials who concern themselves with judicial and clerical functions: the "clerk," or *adl* (plural *adul*[1]), and the "judge," or *ḳadhi*. The former is something between a town clerk and minor judge, and the latter a supreme court of appeal. Both concern themselves only with civil, never with criminal, disputes.

The clerk is a former student who specialized in the cantonal mosque in the study of law, rather than in the usual study of magic and religion: some clerks, however, indulge in magical practices on the side as an additional source of income. The clerk takes pains to keep this second profession secret, lest he be expelled from office. Most clerks spend longer than the average period at study, and attend several different mosques in the course of their preparation.

There is at least one clerk in every *bone*. Any person who is qualified by his training may set up as a clerk, but must receive the consensus of local approval before he is entrusted with enough business to make this occupation profitable. A clerk must be dignified and pious.

The clerk is often the schoolmaster of the *bone* as well. In smaller *bones* it is usually an economic necessity for one man to fulfill these two offices, consequently the terms "schoolmaster" and "clerk" have become somewhat confused. A clerk is often called schoolmaster, but a schoolmaster who is not a clerk is never called clerk.

The duties of the clerk include writing and reading letters for illiterate persons, settling controversies as to ownership of property, making out and administering wills, and drawing up documents of sale for landed property and documents of marriage and divorce. He is also called upon to slaughter animals upon ceremonial occasions.

In making out a document of marriage, the clerk writes out the names of the bride and groom, and the amount paid for the bride. He gives the paper to the bride and makes a duplicate, which he keeps. His signature renders the document valid. He similarly makes out divorce papers, which he gives to the woman, who can thus prove that she is no longer under obligation to her husband.

When the clerk makes out the document for a land sale, he takes the old document from the seller, and gives both old and new papers to the purchaser. Each time a piece of land changes hands a new paper is made out, and the present owner has in his possession all of the extant bills of sale for that piece of land. When a piece is subdivided the heir of the owner of the original piece at the time of its subdivision keeps the papers recording transfers prior to this subdivision.

When a man wishes to sell some of the land which has been in his family since time immemorial, and for which there is no paper, he informs the clerk, who advertises for any other claim to this land, either written or oral, and finding none makes a bill of sale.

[1] The usual Arab notary.

693 624 [700] 624 [875] [211] [585] [586] 624 432 [p. 117]

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CHAPTER XIII

MAGIC

THE types of magic employed in the Rif can be divided into four categories: (1) the *baraka* of alleged descendants of the Prophet; (2) *theira*, or magic requiring the use of written charms and based on the mystic interpretation of the Koran; (3) *theira* of the *jnun*, a type similar in form but involving the participation of the *jnun*, and the use of books other than the Koran; (4) *sehar*, or old women's magic, which does not involve the use of writing. To these may be added as allied topics: (5) the *ar* or shame-compulsion; (6) the *'ahd* or oath; (7) methods of counteracting the evil eye; and (8) the interpretation of dreams. 789

Both the shame-compulsion and the oath are essentially magical, and are therefore included in this chapter. The treatment of religious and magical phenomena in separate chapters is for convenience only and implies no generic distinction.

BARAKA

Baraka, or *er fthair* is usually confined to supposed descendants of the Prophet, and is dependent upon their possession of a magical emanation supposedly transmitted to them by him. *Baraka* is a force, a power, like the tabu of the Polynesians, and more like the *mana* of the Melanesians. A man possessing it is equipped with supernatural powers; he is able to predict the future, to perform miracles, and to heal or destroy by touch, or, through extension, by employing some object which has been in contact with his body, such as a part of his clothing, a piece of bread, or an egg which he has kissed. 789 718

A client wishing to know his future comes to the sherif at Targuist and presents his problem. On the ensuing night the sherif dreams about it, and in the morning tells his client what the future will contain. The client then pays a fee approximating five dollars and departs. The sherif is not limited to a single dream each night; he dreams as many as are required. 791

Not all Riffians believe in this magic, and only the inhabitants of Targuist and the Senhajan tribes under the control of the Ikbemrijen patronise the sherif regularly.

Persons suffering from any ailment whatever go to him to be touched. The sherif strokes the affected part, and exacts a fee of from thirty to fifty dollars. If the patient does not recover he and his relatives do not blame the sherif, but hold that the fatality is the *mektub*, or established fate, and that the soul's time has expired. 791 755

The sherif gives away pieces of cloth torn from his cast-off garments, which are taken away by the credulous and hung in their houses to prevent mischief from entering. In the *zouia* at Targuist are baked tiny loaves of bread, supposedly full of *baraka*; they are given away, the recipients being told that a quarter of a loaf will fill them completely. Eating this bread is a prophylactic against illness and any mischance. 791 751

The sherif, and ordinary saints as well, give away eggs previously received as presents or fees, for which they have no use. The eggs are considered to be full of *baraka*, and men take them home to eat with their wives, thinking thus to avert calamity. 791

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Women bring their children, ailing or otherwise, to the sherif, who chews a piece of salt and spits it into the child's mouth, whereupon the mother goes away satisfied.

Some of the shorfa are illiterate and ignorant, knowing little of the Koran. They are supported by their fees and by gifts of food constantly brought them.

The *baraka* is transmitted by heredity, but not to all the sherif's offspring. Some of the latter, disgusted with their father's trumpery, work and earn a living like ordinary men. Others stay in the house at all times and pose as examples of propriety and behavior, in order to carry on the traditional calling. A sherif who fights loses his *baraka* by so doing, and the same is true of ordinary saints,[1] few of whom nowadays are credited with supernatural powers. Even the Sherif of Targuist was said to have lost his *baraka* for capitulating with the French and Spanish after the surrender of Abd el Krim in 1926.

THEIRA

The type of magic depending upon writing for its efficacy is called *theira*. The students learn it in the cantonal mosque, and practice it while attending this institution and after they have finished their studies there.

Each student must make anew or copy his own manual, from which he is able to extract the charms fitting for each circumstance requiring magical treatment. He goes through the Koran listing all the nouns which have no direct reference to religion when read alone. He then matches beside each noun the phrase with which it is connected in the text, or the *sura* in which it is found each time it occurs. In this way each noun will have several different phrases or chapters following it in the finished catalogue. When a person requests a charm for a specific purpose, the student looks up the name of that purpose in his book and finds what phrases go with it. He must know the name of the person and the name of his or her mother, which he also looks up.

By a combination of the corollaries of the various nouns, including the purpose of the charm and the names of the participants, the student is able to decide which formula he shall write upon the charm, with what liquid and on what material; whether or not objects in intimate contact with the person to be protected or with the victim, or the hair of such a person, are needed; and by what means the charm shall be administered or used. The materials and methods used are listed below.

Liquids.

Ink made of burnt goat's horn boiled in olive oil. Christian ink will not work.
Blood of hoopoes.
Blood of owls.
Blood of bats.

Materials.

Paper of any kind.
Scapula, rib, or patella of a fox.
Scapula, rib, patella, or mandible of a hedgehog.
Snout of a wild boar.
Seven, fourteen, or twenty-eight olive leaves.
A peeled stick of female wild olive wood.

[1] See above, p. 148.

776 [325] The Ait Waryager rub pounded bitter almonds (ddauz mazag)
755 mixed with oil and salt on the affected part of the body of a person
789 who is troubled with le-ryah.

[328] Among the Ait Waryager, if a person suffers from an illness caused by jnun, a scribe writes a charm for him on a loaf of bread or on a paper, which is then put in the open in a place where no animal can get at it; it is left there over night so that the stars shall shine on it, and on the next day the patient eats the loaf or hangs the paper round his neck.

776 [356] Among the Ait Waryager there are women, called
791 dizuhriyin (sing. dazuhrit), who are likewise able to tell people about secret things and future events owing to the information they derive from jnun.

832 [361] A mahabba, or love-charm, may contain either the names of Muhammadan jnun, as well as something from the Koran, or the names of sayatin. This is a way in which such a charm is used: the man who wants to be loved by a certain woman goes to the neighbourhood of her house, puts the charm between the forefinger and middle finger of his right hand, and moves the fingers with the charm three times in the direction of the house, at the same time whispering the woman's name. Then he burns the charm between his fingers and goes away; and now she will love him (Ait Waryager). The following practice serves the purpose of overcoming a woman's objection to marrying a man who wants to marry her. A scribe writes a charm and keeps it in his house for seven days, fumigating it every evening with the smoke of pepper and saffron. During this period he must refrain from salted food, so that jnun—muminin—may speak to him. He then ties the charm to an olive tree with a hair of the woman, which has been rpocured by the man who wants to marry her. When the wind makes it flutter the woman will lose her senses, and she will remain in that condition until the scribe removes the charm from the tree and takes it to his house. As soon as this is done she not only comes to her wits again, but gets fond of the man, and [362] they soon become husband and wife (ibid.).

776 [396] A jenniya whose name is widely known in Morocco is the Gola. She is said to be very big and have the appearance of a woman, although she has also been seen with her extremities looking like the feet of a goat and with very much hair all over the body and the face.

787 powerless, whether the Christians will trouble the country or leave it in peace, and whether the people will keep in good health or there will be many deaths. As to the manner in which this kind of divination is practised, none of the many Arab and Berber scribes whom I have asked about it has been able to tell anything beyond the general statement that it is done much in the same way as is the fortune-reading in the blood. But I presume that it must be more complicated, as [791] there are only special persons, called kett afa (sing. kett af, from kt ef, "shoulder"), who are versed in it.

[159]

RITES AND BELIEFS CONNECTED WITH CERTAIN DATES OF THE SOLAR YEAR

796 While the Muhammadan year is a lunar year, the Moors are also 805 familiar with the Julian calendar, especially in country places, where the principal occupations of the people are regulated by the seasons. They call the months by their Latin names, more or less modified. January is called yennayer or yennair (Fez), nnair (Ait Sadden, Igliwa), inneir (Aglu); February, yebrayer (Fez), hobrair (Ait Sadden), kobrair (Ait Warain), brair (Igliwa); March, mars (Fez), mars (Ait Sadden, Igliwa); April, yebril (Fez), ibril (Ait Sadden), ibril (Igliwa); May, miyyu (Fez), maiyu (ibid., Ait Sadden), maiyu (Igliwa); June, yunyuh (Fez), yunyuh (Ait Sadden), nunyuh (Igliwa); July, yulyuz (Fez), yulyuz (Ait Sadden), lulyuz (Igliwa); August, gust (Fez), gust (Ait Sadden, Igliwa); September, sut anbir (Fez), sutenbir (Ait Sadden), sutanbir (Igliwa); October, kt ubar (Fez), htobar (Ait Sadden), ktobar (Ait Warain), ktubr (Igliwa); November, nouwanbir (Fez), nuwenbir (Ait Sadden), nuwanbir (Igliwa); December, dujanbir (Fez), dujenbir (Ait Sadden), dujanbir (Igliwa).

The solar year is divided into twenty-eight manazil (sing. menzla), each containing thirteen days,* with the exception of the jebha (18th-31st July), which contains fourteen. [160] The first menzla is n-natah (in the written language of the scribes n-natah), from 23rd March to 4th April. The following ones are l-butain (5th-17th April); t uriya (t-turiya), 18th-30th April; d-dabaran, 1st-13th May; l-haq'a, 14th-26th May; l-han'a, 27th May-8th June; d-dira', 9th-21st June; n-net ra (n-natirah), 22nd June-4th July; tarfah, 5th-17th July;

793 students, as well as the revenue that accrues from the property
794 owned by the mosque. He also receives cash or kind for his
465 services as the magical advisor for the community, a service which I shall discuss below.

754 In a land in which there is so much witchcraft, it is
789 not surprising to find a great deal of ritual being used to evoke charms and spells. As Westermarck demonstrated in innumerable works, magic permeates almost all social behavior in
791 Morocco. There are two types of magical specialists in Rif
754 society. One is the fqih who has magical powers because of his
[793] knowledge of the Koran and the belief that magical powers are
[789] embodied in the Book. The other specialists are the female
754 witches whose magic is supposed to derive from their lore passed
791 on from mother to daughter. Not all women are regarded as witches
562 although the female quality is believed to have magical potency.
[888] This potency is thought to increase with age and old women are universally treated with respect, partially out of fear of their magical powers. Men of an elderly age are not so regarded.

754 The two classes of sorcerer use different magical tech-
791 niques. The fqih disperses charms and spells by writing passages
789 from the Koran on a piece of paper which thus has magical qual-
793 ities. The witches have a more varied inventory consisting of herbs and roots (poisonous or otherwise), stones, pieces of wood
[443] from holy trees, small dead animals and the like. The services of both are called upon often and it is not uncommon to have witches set up booths in the open weekly market to hawk their

754
791 wares in public, while the fqihs are busily selling their charms
789 in the seclusion of the tea and hashish shops that ring the same
793
443 market.

To the best of my knowledge Justinard was the first to describe the phenomenon in the Rif:

> Les Rifains croient beaucoup aux amulettes et aux sortilèges, aux pratiques occultes qui servent à nuire à un ennemi, à le faire mourir, à forcer l'amour, à obtenir une guérison. C'est surtout l'affaire des Telbas [fqih] et des vieilles femmes (1926:57).

791 The costs of the services of such magical specialists vary
754 with the seriousness of the difficulty. Women generally pay in
789 kind since they have such meager resources at their disposal.
435 Men usually pay cash. A love potion may cost no more than a
[755] liter of olive oil or a dime. Prolonged medical healing may require several thousand dirhams and accommodation for the sorcerer in food and lodging over a lengthy period of time. One
[755] of my informants kept a pair of magicians in his house for six months in an attempt to restore his mother's eyesight. Another informant, a woman who herself was regarded as having supernatural power, estimated that she had spent the equivalent of fifty dollars over a decade to ward off various evil eyes. The magi-
[554] cians of the Rif are, however, not known for their potency and for special problems, magicians or holy men are imported from the Ghomara or the Sus.

[755] As can be seen from the above, much magic is devoted to
000 curing illness. Most sickness is attributed to evil spirits,